9. *Article 11*

9.1. In addition to the European Parliament, the Economic and Social Committee should also be informed every two years about progress on the implementation of the Directive.

Done at Brussels, 24 February 1983.

The Chairman
of the Economic and Social Committee
François CEYRAC

Opinion on the proposal for a Council Directive on the use of sewage sludge in agriculture

The text referred to the Committee has been published in *Official Journal of the European Communities* No C 264 of 8 October 1982, page 3.

A. LEGAL BASIS FOR THE OPINION

On 28 September 1982 the Council referred the abovementioned proposal to the Economic and Social Committee in accordance with Article 100 of the Treaty establishing the European Economic Community.

B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE

The Economic and Social Committee prepared its opinion on the above matter at its 205th plenary session held in Brussels on 23 and 24 February 1983.

The full text of the opinion is as follows:

THE ECONOMIC AND SOCIAL COMMITTEE,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the request made by the Council on 28 September 1982 for an opinion on the proposal for a Directive on the use of sewage sludge in agriculture,

Having regard to the decision taken by the Bureau of the Economic and Social Committee on 13 October 1982 instructing the Section for the Protection of the Environment, Public Health and Consumer Affairs to draw up an opinion on the matter,

Having regard to the discussions at the abovementioned Section's 72nd meeting held on 1 February 1983,

Having regard to the oral report submitted by the rapporteur, Mr Kolble,

Having regard to the discussions on 24 February 1983 during the 205th plenary session held on 23 and 24 February 1983,

HAS ADOPTED THE FOLLOWING OPINION

unanimously:

1. General comments

1.1. This proposal is welcomed by the Committee. It is designed to harmonize provisions on the agricultural use of sewage sludge, which is desirable both for waste disposal and ecological reasons. The Commission intends that the harmonization should give due consideration to the legitimate interests of agriculture, and to public health, consumers and the environment.

1.2. To achieve these aims, sludge must be rendered inoffensive prior to its use in agriculture and unjustifiable gradual contamination of the soil must be prevented.

1.3. The Committee feels that the main aims in this regard are the production of uncontaminated food and fodder, maintenance of soil fertility and the protection of ground and surface water.

1.4. In addition, the correct use of sludge requires that farmers be given adequate guidance on precautions to be taken to avoid contamination of food and feed crops.

1.5. In any case, users should not be held responsible in as far as it is up to treatment plants to ensure that sludge correctly complies with the mandatory values laid down in the Directive.

1.6. The Commission has not yet proposed the standard analysis and measuring methods to be used for adapting the Directive to technical progress. Although the Committee agrees that this is an unsatisfactory situation, it feels even now, that it is urgently necessary for the use of sewage sludge to be covered by harmonized standards in all Member States. The Committee invites the Commission to pay special attention to drawing up uniform analysis and measuring methods and to draft provisions on this matter at the earliest opportunity.

1.7. The Commission proposes that changes needed to adapt limit values and sampling analysis methods to technical progress should be referred to a Committee on Adjustment to Technical Progress. This would mean that the Economic and Social Committee would have no opportunity to give its views. Consequently, the Committee asks that the Commission at least hold consultations with representatives of interested parties on the Economic and Social Committee before submitting amendments to the Technical Progress Committee.

1.8. The Committee assumes that the Commission will actively pursue its efforts (in application of Council Directive 76/464/EEC of 4 May 1976 concerning pollution caused by certain dangerous substances released into Community waters), to ensure that measures are taken 'at source' to prevent as far as possible dangerous substances from entering sewage sludge.

2. **Specific comments**

Article 2

2.1. Sewage sludge from plants treating only urban or similar effluents and serving less than 5 000 inhabitants per year is excluded from the scope of the proposed Directive. Given the urban concentration in several regions of the Community, the Committee questions whether this limit of 5 000 inhabitants is reasonable and wonders whether there should not be an exemption under Article 12 for cases of a special nature.

Article 3

2.2. The Committee notes that the Commission has not specified mandatory values for certain trace elements such as chromium, mercury and arsenic and stresses the urgency of this problem. The Committee also points to the potential hazards and suggests the article be amended.

Articles 4, 5 and 6

2.3. The Committee approves the proposed system for limiting the level of dangerous substances (Article 4) in sewage sludge, and the accumulation (Article 5) and concentration of dangerous elements in the soil (Article 6).

2.4. The Committee feels that the provisions of Articles 5 and 6 are adequate *per se*. However, it has serious doubts as regards the adequacy of Article 5, when taken in conjunction with Annex I B. This is more particularly so in view of the fact that in the interests of protection of the environment and agriculture, it is necessary to ensure that the amount of dangerous substances in the soil remains below the limit values for as long a period as possible. For this reason the Committee recommends, in the interests of guaranteeing longer-term safety for the whole of Europe, that Article 5 should prescribe stricter limitation of accumulation (e.g. the calculation period of more than 10 years).

Article 8

2.5. The Committee feels that in certain cases a six-week minimum time gap between the spreading of sludge on the soil and the harvesting of crops grown thereon is inadequate and does not take into account certain local factors. It would be appropriate therefore,

as indeed indicated by the Commission in its explanatory memorandum, to lay down a whole range of minimum intervals in accordance with local conditions.

The Committee feels that Article 8 (3) should be reworded as follows:

'Member States shall prohibit the spreading of sludge on crops whose products would be in direct contact with the sludge and which are supplied raw to consumers.'

Article 9

2.6. The Committee feels that the pH value indicated here does not take all the local characteristics of soils into account.

Article 17

2.7. The Committee requests that in its report to the Commission, each Member State should indicate its sampling and analysis method, in order to assist the Commission in devising a common method of analysis.

2.8. With regard to the penultimate phrase of this Article the Committee proposes that the following sentence be inserted after the words 'difficulties encountered':

'Member States should equally report any disease or adverse effects on man, animals or plants attributable to or resulting from the spreading of sludge.'

Done at Brussels, 24 February 1983.

The Chairman
of the Economic and Social Committee

François CEYRAC

Opinion on the proposal for a Council Regulation amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71

The text referred to the Committee has not yet been published in the *Official Journal of the European Communities.*

A. LEGAL BASIS FOR THE OPINION

On 17 January 1983 the Council referred the abovementioned proposal to the Economic and Social Committee in accordance with Articles 51, 198 and 235 of the Treaty establishing the European Economic Community.

B. OPINION OF THE ECONOMIC AND SOCIAL COMMITTEE

The Economic and Social Committee prepared its opinion on the above matter at its 205th plenary session held in Brussels on 23 and 24 January 1983.

The full text of the opinion is as follows:

THE ECONOMIC AND SOCIAL COMMITTEE,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 51, 198 and 235 thereof,

Having regard to the request made by the Council of the European Communities on 17 January 1983 for an opinion on the proposal for a Council Regulation amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed